

**Board of County Commissioners
Leon County, Florida**

Policy No. 05-_____

Title: Leon County Division of Animal Control Policies and Procedures Manual

Date Adopted: November 8, 2005

Effective Date: November 8, 2005

Reference: Chapter 4, Leon County Code of Laws, Chapter 767, Florida Statutes,
Chapter 828, Florida Statutes

Policy Superseded: Leon County Division of Animal Control Policies and Procedures Manual
adopted March 25, 2003; Leon County Division of Animal Control Policies
and Procedures Manual adopted January 12, 1993

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that the Leon County Division of Animal Control Policies and Procedures Manual adopted on March 25, 2003, is superseded, and an amended policy is hereby adopted, to wit:

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Section I. Animal Relinquishment:

1. Owners who call Division of Animal Control wishing to relinquish custody of their animals should be encouraged to deliver them to the animal shelter themselves.
2. Owners unable to deliver their animals to the shelter may release custody of the animal to the Division of Animal Control by signing an Owner's Release Form. The form shall be signed and given to the officer at the time of release, after the animal is secured on the truck. The animal must be current on its rabies vaccination or the owner is subject to civil citation pursuant to Leon County Code of Laws Chapter 4-76.
3. Animal Control Officers will not pick up any owner-released animal without obtaining the completed and signed Owner's Release Form in person. Officers will not accept Owner Release Forms for animals which are not being surrendered at the time the Owner's Release Form is signed.
4. A copy of the Owner's Release Form will be attached to the Impoundment Ticket at the time the animal is delivered to the animal shelter by the officer. The original copy will be attached to the Service Request for submittal with the officer's Daily Truck Log.
5. Owners should be advised that upon its release the animal becomes the property of Leon County. When such an animal is delivered to the animal shelter, the shelter has the option of placing the animal for adoption or euthanizing it. No promises, predictions, or time frame regarding the animal's fate will be made by Division of Animal Control staff. If an owner changes his or her mind after the animal has been delivered to the animal shelter, arrangements must be made with the shelter staff for the animal's possible return to the owner. The owner is responsible for any expenses associated with boarding and care of the animal. Division of Animal Control staff will not attempt to mediate in such incidents.
6. If the animal being relinquished by the owner is a bite animal, and the quarantine period for the animal has not elapsed, the animal, will may be euthanized pursuant to Leon County Code of Laws. Its brain will be sent to a State laboratory for rabies testing. The Animal Control Director may elect to have the animal complete the quarantine period if the animal is adoptable. Animal Control Officers will follow County portions of the quarantine housing and handling policy and procedures established by the City Animal Service Center on all bite animals.
7. Owners signing Owner Release Forms who specify that they want the animal destroyed will have their wishes taken into consideration for good cause (For example, but not limited to: sick, injured, aggressive, etc.). If the owner appears to want the animal killed for no legitimate reason, Animal Control Officers should advise the owner that we will take the animal, but that upon relinquishing an animal it becomes the County's property, and the County will dispose of the animal as it sees fit.

8. There is no monetary charge to owners who relinquish their animals.

Section II. Bite Investigations:

1. Dogs, cats and ferrets ~~and cats~~ which bite or otherwise expose humans to the possible transmission of rabies shall be quarantined for a period of not less than ten (10) consecutive days from the date of the bite incident. It is considered an animal bite or exposure according to the State definition of exposure by Florida Administrative Code (FAC), Chapter 64D-3.
2. The location and conditions of examination or quarantine of animals which have been bitten or otherwise exposed a person to rabies shall be established by the County Health Officer.
3. All bite investigations will be conducted using the Bite Investigation Report.
4. The Bite Investigation Report will be completed in its entirety to the best of the staff's knowledge. Every effort will be made to obtain all of the information contained within the report.
5. The procedures for the investigation of animal bites inflicted by animals other than dogs, ferrets or cats shall be followed in accordance with the provisions set forth in Florida Administrative Code (FAC), Chapter 64 D-3 and in the current "Rabies Prevention and Control of Florida", produced by the Florida Bureau of Epidemiology, Florida Department of Health and Florida Rabies Prevention Advisory Committee. If the bite is to a domestic animal by wildlife, the domestic animal will be listed the bite victim.
6. Animal bites are a Priority One Complaint, necessitating immediate response from Animal Control, according to division dispatch policy described in the internal procedures. If victims and/or owners are not available for contact at the time the bite is reported, staff will communicate clearly in the Bite Investigation Report, and verbally to the dispatcher, that such is the case, so that the Bite Investigation Report can be dispatched to the next available officer.
7. Location of quarantine:
 - a. Home: Proof of vaccination must be produced by the owner.

Quarantine is the isolation of an animal as defined in the current Rabies Prevention and Control manual, Chapter 3. Home Quarantine is a privilege, not a right to a pet owner. As such, the officer shall have full discretion of allowing home quarantine, provided crucial criteria are met; such as, but not limited to, ability to totally isolate bite animal, secure enclosure for animal, and no prior history with

Animal Control for running at large. A Home Quarantine Agreement must be signed by the owner before a home quarantine can be done. All spaces on the Agreement must be completed. The owner and the officer must sign the Agreement.

Such vaccination proof must be either verification from a licensed veterinarian or the presence of a current rabies vaccination certificate stating the date of vaccination and expiration date of the vaccine. A rabies tag is not suitable proof, since it is possible to have a tag corresponding to current year even if the vaccination as expired.

Each contact shall be noted on the Bite Investigation Report, starting with the officer initiating the report, up to the release date.

After quarantine of the animal is completed, the investigating officer must conduct a second follow-up visit to verify the health of the animal before the animal is released from quarantine.

The victim is to be notified by Animal Control staff, by way of telephone or written notice of the animal's condition at the end of quarantine.

b. Veterinary clinic:

If the owner chooses to have the animal quarantined at a licensed or registered veterinary clinic, the owner may transport the animal from its home to the veterinarian of his or her choice, with the approval of the clinic. The investigating officer or the dispatcher will contact the veterinary clinic to verify that the animal was properly transported.

At the end of the quarantine period, the animal may be released to the owner by contacting the clinic to verify the animal's health. A notation by Animal Control staff shall be indicated on the Bite Investigation Report identifying who was contacted and whether the veterinarian considers the animal to be in good health.

In cases in which the owner wishes to have the animal quarantined at a veterinary clinic but is unable to transport the animal, an officer may do so. If the animal has already been quarantined at the animal shelter, an officer may transport the animal to a veterinary clinic of the owner's choosing. All financial matters related to this issue boarding at the shelter must be resolved prior to transport. Such transport shall be at the convenience of the division, and shall be conducted during normal business working hours.

The victim is to be notified by Animal Control staff, by way of telephone or written notice, of the animal's condition at the end of quarantine.

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c. Quarantine at the Animal Shelter:

Quarantines of impounded bite animals will be conducted at the animal shelter, unless otherwise directed by the County Health Officer. Impoundment Tickets shall be completed by the impounding officer for each animal quarantined, writing "BITE" across the face of the Impoundment Ticket. Animal Control Officers will follow County portions of the quarantine housing and handling policy and procedures established by the City Animal Service Center on all bite animals. If the bite animal is current on rabies vaccination but still housed at the shelter, note the reason in DAC's computer as to reason. Stray Bite animals quarantined at the shelter will be placed in the appropriate quarantine/isolation cages designated by the shelter for that purpose.

In cases in which there is an owner, and the owner wishes to have the animal quarantined at the animal shelter but is unable to transport the animal, an officer may do so. If the animal has already been quarantined at the veterinarian clinic, an officer may transport the animal to the animal shelter. All financial matters dealing with this case boarding cost must be resolved prior to transport. Such transport shall be at the convenience of the division, and conducted during normal business working hours.

Before the release of any animal from quarantine, an officer must examine the animal at the shelter, noting the apparent health status of the animal for the Bite Investigation Report. Confirmation of animal health by shelter staff will may be acceptable. After such release, the shelter staff will be advised by Animal Control so that disposition of the animal can be made.

The victim is to be notified by Animal Control staff, by way of telephone or written notice, of the animal's condition at the end of quarantine.

8. Unless medical personnel verify that an animal bite has occurred, an officer may view the bite wound within 24 hours of the incident to verify the presence of a break in the skin. If the victim does not want to show the wound to an officer of the opposite sex due to the location of the wound, an officer of the same sex should view the bite or scratch. Parents or guardians must always be present when obtaining information from minors or when viewing wounds inflicted on minors.
9. The Director of Animal Control shall be notified immediately by telephone in the event of serious bites, mauling, etc. (involving surgery), or when a bite animal is not located within twenty-four (24) hours of the incident.
10. Bite animals whose owners sign an Owner Release Form shall may be euthanized and decapitated in order to test the animal's brain. The Animal Control Director may elect to

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have the animal complete the quarantine period on a case by case basis. Testing of the animal's brain shall be conducted at a State Laboratory. When an animal's head is submitted by the division to the State Laboratory, a Health and Rehabilitation Service (HRS) Form 959, Rabies Test Form, shall be completed in its entirety for submittal with the animal's head. Staff shall telephone the State Laboratory each time there is a specimen to be shipped.

11. When the results of the rabies tests are received from the State Laboratory, a copy of the Rabies Test Form shall be attached to the front of the Bite Investigation Report.
12. Upon receipt of the State Laboratory results, the victim shall be contacted by telephone, or by mail or notice at the residence if the telephone method fails.
13. In the event that a rabies test is returned as "positive" for rabies, the Director of Animal Control will be notified immediately by staff. The Director or designee shall notify the victim immediately as well as notifying the Health Unit Administrator or the County Health Officer. The victim will be advised to contact his or her physician immediately for further treatment. In the event the victim is the pet of the reporting party, the quarantine or euthanasia of the victim's pet shall be conducted in accordance with Chapter 64D-3, Florida Administrative Code.
14. Pursuant to Section 767.16, F.S. dogs used by law enforcement officers in the performance of their job duties, and dogs specially trained and used for seeing eye, hearing ear or service dogs for the handicapped, are exempt from any quarantine requirement following a bite if the dog has a current rabies vaccination that was administered by a licensed veterinarian. If not currently vaccinated for rabies, the dog shall be quarantined.

Section III. Citations:

Pursuant to section 4-253 4-29, Leon County Code of Laws, an Animal Control Officer is authorized to issue a citation based upon reasonable and probable cause grounds that a violation has occurred. The following procedures shall be adhered to by the officer in the issuance of citations to citizens for animal control violations.

1. Citations are not to be issued to neighbors or friends of the animal owner when the owner is at work or not immediately available, except in cases in which someone designated by the owner is watching as having control, custody and care of the animal while the owner is unavailable and is therefore responsible for the animal.
2. Once a citation has been signed by the defendant, no changes will be made to the citations, unless the defendant's copy is changed in the presence of the defendant and both the officer and the defendant initial the change. If changes must be made, do so at court before the judge.

3. After a citation has been issued, the citation will be logged in the computer by the issuing officer, a Citation Incident Report and Final Disposition Card will be completed and attached to the citation. ~~†The citation will be notarized, and the complete package will be~~ if the citation will be forwarded to the Clerk of Court, for record keeping.
4. If an animal is impounded on the first violation for running at large, the decision to issue a citation is discretionary and based upon DAC policy and/or incident situation, a citation may not be issued. However, the impoundment fee shall be borne by the animal owner. Citations for first violations may be given in the field; the intent is to refrain from charging both an impoundment fee and a citation for a first violation. However, violations listed under paragraph 7 of this section (below) will result in a citation whether or not the violation is a first offense.
5. Information regarding the violation should be entered under the 'memo' screen on the computer at the animal shelter when the animal is impounded. This will provide the issuing officer necessary information to complete a citation when one is to be issued upon redemption of the animal by its owner.
6. The Animal Control Officer who observed the violation shall sign the citation in the presence of a notary. The issuing officer will sign the citation at the time it is issued to the defendant.
7. Citations are mandatory in the following instances:
 - a. When unvaccinated bite animals are quarantined and/or the owner has a history of owning unvaccinated animals. The only exceptions are animals which are too young for vaccination or a licensed veterinarian has stated, in writing, that the animal cannot be vaccinated for health reason.
 - b. When an animal classified as "Dangerous or Aggressive" by the Classification Committee is in violation of any provision of the Animal Control Ordinance.
 - c. Violations of the ~~"Humane Care Required"~~ sections 4-37, 4-38, or 4-39 of the Ordinance, in which the animal has been abandoned and the owner can be located, or when the animal has been placed in physical danger or distress due to deliberate acts on the part the owner. If there is an opportunity to educate the owner, a courtesy notice may be issued in lieu of a citation. The courtesy notice shall direct the animal owner to correct the problem within a specified time frame. If the problem is not corrected within the specified time frame given to the owner, or repeat offenses occur, a citation shall be issued to the owner.
 - d. Violations in which property damage and/or physical injury to a person or domestic animal results while the animal is in violation of the Animal Control

Ordinance. Animal Control also requires a written Affidavit of Complaint form to be completed by the victim.

8. Depending on the nature of the violation, citations may be held in the office a minimum of three (3) working days. This provides generally-responsible owners time to comply with directives from the division regarding animal care, vaccination requirements, etc. For instance:
 - 1) For owners who have recently re-located to Leon County, a citation may be given to an owner requiring the owner to acknowledge that the situation will be corrected within twenty-four (24) hours. If the problem has been timely corrected, the citation will be voided. If not, the citation will be processed in the usual manner.
 - 2) ~~For cases forwarded to the Neighborhood Justice Center for mediation.~~ 3) For cases where officers, allow the owner additional time to make corrections as requested. This agreed upon time will be in writing on a courtesy notice or truck log.
9. Animal Control Officers are not required to meet quotas for issuing a certain number of citations. The purpose of citations is to address owner irresponsibility. It is anticipated that officers will use the Citation System as a tool in the performance of their duties and that officers will view the issuance of citations as a long-range method of obtaining compliance by owners who are violators.
10. Citations books shall be issued to Animal Control Officers as needed. Citations which are incorrect, voided, or otherwise not issued, shall not be thrown away. Because they are sequentially numbered, we DAC must account for citations. Therefore, the officer shall submit all citations to the Dispatcher who shall file the citations in the appropriate place.
11. An owner or household/business person having control, custody and care of an animal receiving a second citation will be notified verbally in person, and shown the relevant information contained within the citation, that a conviction of a second or subsequent violation in the same household/business of sections 4-35 through 4-39 by the owner or keeper will require confinement of the animal(s) in a manner approved by the Animal Control division (Leon County Code of Laws, Section 4-29{a}).
12. An owner or person having control, custody and care of an animal receiving a citation shall contact the Leon County Clerk of Court, Traffic Division, for any extension of time to pay citation or to contest citation.

Section IV. Confidentiality:

1. ~~All medical information contained in any division report, including Bite Investigation Reports, is confidential, and therefore exempted from Public Information pursuant to Section 119.07, F.S., and will not be provided to anyone other than the victim, unless prior written approval is given by the victim. Treatment sections 15-20 of the Bite Investigation Report will be stricken or removed prior to review or copying.~~
- 2.1. As an employee in the Animal Control Division, staff will hear of and/or observe situations that are of a private matter. In no case, is staff to discuss those situations with anyone other than authorized personnel.
- 3.2. When providing services to the public, information concerning the source of the complaint is not to be discussed in the field or over the telephone, except with authorized persons. Citizens wishing to know who lodged a complaint should be instructed to come into the office, and view or obtain a copy of the record at that time. Citizens may view all division records under Chapter 119, F.S. except medical information as stated in number 1 above. Citizens may file a public record request in writing through the division. The Director shall forward public record requests to the Leon County Attorney Office for review. Personnel matters will be forward to Leon County Human Resources.
- 4.3. Citizens viewing records in the division may only do so with a division employee present. No originals are to be given to anyone!
- 5.4. Citizens wishing a copy of available division records may obtain a copy at the prevailing rate as established by Chapter 119, F.S. and County Policy 97-4, "Photocopying Fees".
- 6.5. If the complainant remained anonymous, office or field staff may advise the citizen of that fact when they request information about the Service Request. If the complainant was anonymous, advising the citizen of such will save them unnecessary travel to ascertain the complainant's name.

Section V. Courtesy Notices:

1. A Courtesy Notice advises a citizen as to any action that was taken in response to a service call. Courtesy Notices are to be left at the citizen's house when officers unsuccessfully attempt to make personal contact with citizens. The Courtesy Notice shall be completed thoroughly, including the name and address of the person the notice is addressed to, if known. If the person receiving the Courtesy Notice is not at home, the notice shall be left on the door or other conspicuous place.
2. Courtesy Notices are not to be placed inside mail boxes or inside paper boxes.

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3. Courtesy Notices left for the complainant shall include marking the appropriate boxes to indicate what actions have been taken and shall include any remarks necessary to communicate to the complainant results of the officer's visit.
4. Courtesy Notices left for the animal's owner shall include making the appropriate boxes to indicate any violation observed, steps to be taken to correct the problem(s), and any remarks necessary to explain the situation.
5. Courtesy Notices will also be given to owners whose animals were complained against, but which were not observed in violation at the time of the officer's visit. In most other cases, if the officer has probable cause to believe that a violation has occurred, the officer may issue a citation in lieu of posting or delivering a Courtesy Notice to the owner.
6. The white copy of the Courtesy Notices will be stapled to the officer's Daily Truck Log and submitted at the end of the shift. The blue copy should be given to the animal owner or complainant.
7. All owner contacts will be documented with a Courtesy Notice or citation, so that officers conducting subsequent visits will have access to information concerning prior incidents. No exceptions!

Section VI. Cruelty Investigations:

1. Animal cruelty calls are a Priority One Complaint, necessitating immediate response from Animal Control, according to division dispatch policy described in the internal procedures.
2. Animal cruelty incidents that are determined valid, but minor in nature, shall be documented in the Field Results at a minimum. Valid complaints that are serious in nature, require immediate corrective action from the pet owner, or requires a follow-up visit from the ACO, shall be documented with an Incident Report as well as in the Field Results.
3. An initial incident report shall be turned in to the Director within 24 hours after the investigation of the complaint. Follow-up reports shall be turned in to the Director on a daily basis or as worked.
4. The Director or designee shall be informed immediately on all incidents involving the removal of an animal from the owner's property or possession.
5. When investigating the case, the ACO shall document all action taken, evidence collected, photos taken, and witnesses contacted. Photos should be taken when ever possible. If during the investigation the ACO makes a determination that the complaint will proceed to a criminal investigation, then the Sheriff Office should be contacted immediately.

6. Animal Control Officer may take action to rescue an animal found in violation of Leon County Ordinance Section 4-38(b), Animal in motor vehicle. ACO handling an incidents involving an animal inside a motor vehicle shall follow the following guidelines:
- a. Upon arrival, survey the situation to determine the urgency of the call.
 - b. If the animal is not showing immediate signs of distress (including but not limited to, barking, howling, jumping around, alert and attentive, etc.), then:
 - Attempt to locate the owner of the vehicle/animal;
 - Check the area, surroundings stores and parking lot;
 - Gather caller/witnesses/pedestrians names, address, phone numbers, and statements;
 - Contact the Leon County Sheriff Office for assistance.
 - c. If the animal is showing some signs of distress or heat stress (including but not limited to, heavy panting, glazed eyes, unsteadiness, no movement, shallow breathing, non-responsive, or vomiting), immediate action shall be taken:
 - If the vehicle owner is not available to open the vehicle, check the doors to see if unlocked to gain entry;
 - If locked, check other entry options;
 - If unable to unlock the door, the ACO may use minimum force necessary to rescue the animal;
 - In the case where damage to a vehicle is possible, law enforcement should be present to document action taken;
 - If law enforcement is not available or unable to respond in a timely manner, seek out a citizen/witness, explain the situation, gather their name and information, and then take necessary action;
 - If possible, contact the Director prior to damaging the vehicle;
 - If the vehicle is damaged, have law enforcement or another animal control officer stand-by until the owner arrives or vehicle is secured.
 - d. Once the animal is removed from the vehicle, administer animal first aid and determine whether to transport to the nearest veterinarian clinic/hospital for treatment. If transported, have the veterinarian complete an Animal Cruelty Investigation Report.
7. Any cruelty complaint that involves an Animal Control Division employee shall be reported to and handled by the Director.
8. Tethering:

- a. Animals found to be tethered (as defined in Leon County Section 4-26 Definitions) will be handled in accordance to Section 4-37 Humane Care.
- b. Upon arrival, the ACO will survey the situation to determine the urgency of the call. Document the violation. Check to see if the tether extends beyond the property of the pet owner.
- c. If the animal is not showing immediate signs of distress (including but not limited to, barking, howling, jumping around, alert and attentive, etc.), then:
 - Attempt to locate the owner of the animal;
 - Check the area;
 - If tether is tangled, straighten it out;
 - Check the collar for a proper fit and comfort;
 - Make sure the tether's length is in accordance to the ordinance;
 - Contact the Leon County Sheriff Office for assistance if necessary.
- d. If the animal is showing signs of distress (including but not limited to, heavy panting, glazed eyes, unsteadiness, no movement, shallow breathing, non-responsive, or vomiting), immediate action shall be taken:
 - If the owner is not available, remove the animal from the situation;
 - In the case where damage is possible, law enforcement should be present to document action taken;
 - If law enforcement is not available or unable to respond in a timely manner; seek out a citizen/witness, explain the situation, gather their name and information, and then take necessary action;
 - If possible, contact the Director prior to any damage.
- e. Once the animal is removed, administer animal first aid and determine whether to transport to the nearest veterinarian clinic/hospital for treatment. If transported, have the veterinarian complete an Animal Cruelty Investigation Report.
- f. If the animal is confined to a vacant or abandoned structure, a 24-hour notice shall be posted advising the pet owner to remove the animal. If the animal is still present after 24 hours, then the animal should be taken into custody (in accordance with Section 4-33 Right of Entry) and a second notice, with the animal's new location, shall be posted.

Section VII. Dangerous or Aggressive Animals:

Aggressive or dangerous animal calls are a Priority One Complaint, necessitating immediate response from Animal Control, according to division dispatch policy described in the internal procedures.

1. In order to classify an animal dangerous or aggressive, any adult or the division personnel shall request, under oath, that an animal be classified as dangerous or aggressive.

Upon receiving a sworn "Petition to Classify an Animal as Dangerous or Aggressive," the division shall notify the owner of the animal in writing by certified hand delivery. If unable to hand deliver, alternative Notification may be by telephone, certified mail, in person, or by posting the owner's residence or place of business, if other methods fail to get a response. The owner shall be provided a copy of the petition and county ordinance. The notification letter shall indicate to the owner that the case will be forwarded to the Classification Committee after reviewed by the Director of Animal Control or designee after the investigation. The owner has a right to respond to the complaint. The notification letter shall also notify the owner that no an animal that is a the subject of a dangerous or aggressive animal investigation may not be re-located or ownership transferred pending the outcome of an investigation or any hearing related to the determination of a dangerous or aggressive animal classification [Section 4-93 (b)], unless animal is released to the County.

2. The Administrative Assistant enters the date and time the Petition is received on the bottom section of the Petition and starts a case folder. The case folder will contain a Progress Sheet, the Petition, the Petitioner's narrative and the Defendant's narrative (if available), and a copy of the bite report (if applicable) and all applicable paperwork and documentation. The officer assigned to the case is the "Primary" Officer; in his or her absence a "Secondary" Officer will handle the case. The Primary Officer begins the investigation and should complete the investigation within seven (7) working days.
3. After completion of the investigation, the Primary Officer shall forward the file to the Director containing the original reports. Originals of any paperwork associated with the case will not be sent into the field. Copies of all reports will be made and placed in the files assigned to officers.

The Administrative Assistant will label files as follows:

<u>Pet Owner's Name</u>	<u>Case #</u>
<u>Pet Owner's Address</u>	<u>Date</u>
<u>Dangerous or Aggressive Animal Petition</u>	
<u>Date/Case #</u>	
<u>Petitioner's Name</u>	

If available, include the following documents in the file:

- a. Animal Mmedical/veterinary records. (Confidential pursuant to F.S. 119)
 - b. Victim medical records
 - b.c. Statement(s) from witness(es).
 - e.d. Statement(s) from neighbor(s) who have familiarity with the animal or incidents preceding the sworn affidavit.
 - d.e. Division of Animal Control Files: Records of citations, impoundments, previous bites or aggression, previous classification.
 - e.f. Tallahassee Animal Service Center records.
 - g. Photos.
4. Officers are responsible for returning investigative files to the Administrative Assistant office each day, so that an updated file is always available in the office for dispatching to the Secondary Officer and for informational purposes.
5. ~~The Director reviews the file for completeness, accuracy, etc.~~
6. 5. Upon completion of the field investigation and review by the Director, the Administrative Assistant makes a complete copy of the case file to be forwarded to the Director of Animal Control, or his designee, Classification Committee for preliminary review.
- a. ~~The Classification Committee consists of 3 members, a veterinarian, Sheriff designee, and an informed citizen appointed by the Board, reviews the investigative file independently. The Director, or designee, reviews the file for completeness, accuracy, etc.~~
 - b. The Director or his designee Committee members determine whether or not the animal falls under the definition of "Dangerous or Aggressive Animal", as set forth in Chapter 4, Section 4-26 and 4-92, Leon County Code of Laws.
 - c. The Director or his designee Committee members pre- initially determines the classification of the animal based on a majority decision of the members, (ie: 2-1) the information provided.
 - d. The Director or his designee Committee members will then decide the disposition based on the classification as provided in the criteria in paragraph 13 14 in this section within 72 hours of receipt of the file.
- ~~7. The committee members should make every effort to return their individual~~
~~_____ decision on the case within 72 hours of receipt of the case file via hand delivery,~~
~~_____ facsimile, or mail. The Director should make every effort to decide the initial~~
~~_____ determination and disposition of the case within 48 hours of receipt of the file.~~

- 8.6. The Owner is notified of the Director's ~~Committee's~~ decision in writing as required by County Ordinance Section 4-93(c). The animal ~~Pre-~~ Initially Determined to be Dangerous/Aggressive shall be impounded by the County at the owner's expense, housed at the Animal Service Center, a veterinarian clinic or approved boarding kennel, pending the disposition of the hearing and/or compliance with harboring a Dangerous/Aggressive animal (Section 4-93[c]). The owner shall also be notified that in the event an animal is to be humanely destroyed, the animal shall not be re-located or ownership transferred prior to euthanasia (Section 4-93[b]).
- 9.7. If the ~~Committee 'Pre-Determines'~~ Director initially determines the animal as Dangerous/Aggressive, the owner has seven (7) calendar days from receipt of notification to request in writing an appeal hearing ~~in writing~~. If no written appeal is received ~~from the~~ receipt of notification, then the Director's Initial Determination shall be final. ~~Classification stands. The Administrative Assistant contacts the Classification Committee members to coordinate the time, place, and date to convene a meeting. Purpose of the meeting is for the committee members to execute in writing the final determination. Minutes of the Classification Committee meeting must be recorded. Copies of the minutes are available through the normal public record request process. Staff should be available to answer questions from the committee. Adequate public notice of the meeting shall be posted. The Director notifies the owner and the victim in writing via certified hand delivery or registered mail as to the Classification Committee's findings, the animal's classification and its proposed disposition.~~
- 10.8. If the owner appeals the Initial Determination classification and/or the proposed disposition of the animal, a hearing is scheduled according to County Ordinance Section 4-93(d) affording the owner due process rights. The Administrative Assistant will make copies of the Investigative File for the Classification Committee members, the owner, and the petitioner(s).
- 11.9. The Administrative Assistant contacts the Classification Committee members to coordinate the time, place, and date to convene a hearing. One member is elected to chair the committee during the hearing. Classification hearings must be recorded on tape. Copies of the audio tape recording are available through the normal public record request process. A court stenographer may also be used to record the hearing. The Director of Animal Control, or his designee, will facilitate the hearing. Adequate public notice of the hearing shall be posted.
- a. The Classification Committee reviews the investigative file and listens to sworn testimony and statements from those present at the hearing.
 - b. After considering ~~testimony~~ the evidence, the Committee members deliberate to determine whether or not the animal falls under the definition of "Dangerous or Aggressive Animal", as set forth in Chapter 4, Section 4-26, Leon County Code of Laws.

- e. ~~Committee members vote to either uphold, modify, or dismiss the 'Pre Initial Determination' classification, based on majority vote.~~
- d. c. Committee If the Committee classifies the animal as dangerous or aggressive, members will then decide the disposition based on the classification as provided in the criteria in paragraph ~~13~~ 14 in this section.
- ~~12.10.~~ The Director notifies the owner and the petitioner ~~victim~~ in writing of the Classification Committee's findings, the animal's classification, its proposed disposition, and the next ~~rights process~~.
- ~~13.11.~~ Disposition of the animal, in accordance with Chapter 4, Section 4-91, Leon County Code of Laws, includes one of the following:
- a. Permanent confinement for animals classified Aggressive or Dangerous which:
- (1) Have bitten or attacked another domestic animal in a first unprovoked attack while off of the premises of the owner, with no previous attacks against people or animals, or Dangerous/Aggressive Animal Classification.
 - (2) Have bitten, ~~or attacked,~~ or endangered people when unprovoked; chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion, or an apparent attitude of attack when unprovoked; inflicting minor injuries (no hospitalization is required; no plastic surgery is necessary; no serious punctures are inflicted; and or medical personnel classify injuries as minor).
- b. Euthanasia for an animal classified Dangerous which:
- (1) Has bitten, ~~or attacked or endangered or has inflicted severe injury on a human being on public or private property; or has more than once severely injured or killed a domestic animal while off the owner's property; or in the case of a dog, has been used primarily or in part for the purpose of dog fighting or is a dog trained for dog fighting; animal, with at least one previous attack or bite inflicted on a person or domestic animal or has a Dangerous/Aggressive Animal Classification.~~
 - (2) Has bitten or attacked a person, inflicting serious injuries; hospitalization required; plastic surgery necessary; serious punctures, and/or medical personnel classify injuries as major or serious; fatalities or "severe injury" as defined by Chapter 4, Section 4-26.
 - (3) Has been used, trained, harbored, or kept primarily or in part for

dog fighting.

- ~~14-12.~~ If the owner ~~refutes the order of the Classification Committee, the order shall notify the owner of appeal rights pursuant to County Ordinance Section 4-94. If the owner disputes the final Disposition order of the Classification Committee, the owner shall be informed of his/her appeal rights pursuant to County Ordinance Section 4-94. Appeals under Section 4-94 shall be handled by the County Attorney Office.~~
- 15-13. If the owner does not ~~refute~~ dispute the classification, the owner has fourteen business (14) days from the date of final classification to obtain a permit to harbor a Dangerous/Aggressive animal from the Division of Animal Control. A permit will only be issued according to County ordinance section 4-96(e)-(b). If no permit is obtained nor the owner heard from after fourteen (14) days, then the Division of Animal Control shall proceed with the disposition of the animal.
- ~~16-14.~~ If the owner of the classified animal violates any section of County Code of Laws, Ordinance, Chapter 4, Animals, the owner is subject to penalties listed in the ordinance.

Section VIII. Dead Animals:

1. Dead domestic animal disposal is the responsibility of the animal's owner. Staff will not routinely pick up dead domestic animals for owners. Exceptions may be made in extreme cases after approval of the Director.
2. Citizens requesting dead domestic animal pick up shall be referred to either the City's or the County's Road Departments or the State Highway Department, if the dead domestic animal is on the roadway or right-of-way. Removal of stray dead domestic animals on private property is the responsibility of the property's owner.
3. If an injured stray domestic animal call is received and the animal dies prior to the Animal Control Officer's arrival, the officer will pick up the animal, and take it to the animal shelter. The domestic animal will be placed in the freezer pending disposal by the shelter staff. Domestic Animals found to be dead on the public right-of-way for an extended period of time may be left for the appropriate road department or property owner, depending on animal's location.
4. Dead domestic animals found with identification shall be noted as such and an effort will be made by staff to contact the owner as identified on the collar or tag. Identification Notification can be made by phone, Courtesy Notice, or by mail.

Section IX. Enforcement Authority:

The Division of Animal Control is responsible for enforcing the local ordinance and state statutes related to animal control, rabies control and animal cruelty.

Staff is responsible for developing and maintaining proficiency in the application of such laws. Included are:

1. Chapter 4, Leon County Code of Laws.
2. Sections 585.18 and 585.195, FS F.S., Dogs and Cats Transported or Offered for Sale; Health Requirements.
3. Chapter 588, FS F.S., Legal Fences and Livestock at Large.
4. Section 705.19, FS F.S., Abandonment of Animals by Owner; Procedure for Handling.
5. Chapter 767, FS F.S., Damage by Dogs/Dangerous Dogs.
6. Section 768.13 (3), FS F.S., Good Samaritan Act; Immunity From Civil Liability.
7. Section 810.09, FS F.S., Trespass on Property Other Than Structure or Conveyance (releasing animals from traps without authority).
8. Section 823.04, FS F.S., Animals Suffering From Disease or Pests.
9. Section 823.041, FS F.S., Disposal of Bodies ~~or~~ of Dead Animals.
10. Section 823.15, FS F.S., Dogs and Cats Released From Animal Shelters or Animal Control Agencies; Sterilization Requirement.
11. Chapter 828, FS F.S., Cruelty to Animals.
12. Florida Administrative Code, Chapter ~~10~~ 64D-3, Rabies Control.
13. Chapter 381, F.S., Public Health.

Section X. Livestock:

1. Livestock includes grazing animals, such as cattle, horse, sheep, swine, goat, etc. (Section 585.01-588.13 ~~(13)~~ F.S.) Livestock is handled by the Leon County Sheriff Office in accordance to their policy and procedure.

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2. If requested to do so, Animal Control Officers may assist law enforcement personnel in the apprehension of livestock straying or running at large. ~~After such apprehension, it shall be the Sheriff's Office responsibility to see that the livestock is satisfactorily returned to the owner or impounded at the designated livestock holding facility.~~
3. Any requests to DAC for assistance in handling livestock cruelty cases by law enforcement personnel should be responded to as soon as possible by the Animal Control Officer. ~~The Sheriff's Office is responsible for p~~Payment of any medical, impoundment, or other costs associated with such cases shall be the responsibility of DAC.
4. Service Requests regarding ~~small farm animals, such as , but not limited to, chickens, peacocks, ducks, geese, turkeys, etc., will be handled by DAC as a public nuisance. Fielded as any other call about an animals at large. Such Service Requests will be handled as a public nuisance call. Small animals picked up should be impounded at a designated holding facility.~~
5. Service Requests exceeding the capabilities of DAC may be referred to the appropriate agency.

Section XI. Public Nuisance:

1. Animals found to be a public nuisance (as defined in Leon County Section 4-26 Definitions) will be handled in accordance to Section 4-36 Public Nuisance Prohibited.
2. A citizen calling to report a nuisance animal should identify the location, owner, and type of animal causing the nuisance. Citizen should try and document the type of nuisance.
3. Public nuisance complaints as defined under 4-26 (Definitions) will be handled in the following manner:
 - a. The animal owner shall be notified of the complaint in writing and given seven calendar days to abate the situation.
 - b. Subsequent violations, after warning, shall be based on the ACO's or law enforcement's personal knowledge of the nuisance.
 - c. The subsequent violation may be based on at least two (2) affidavits of complaints from different parties residing in close proximity to the alleged nuisance. Close proximity shall mean residing within a radius or 200 feet from the resident or location of the offending animal.
 - d. Testimony or evidence from persons living out side the 200 foot radius may be considered,

- e. One affidavit of complaint may be sufficient to warrant an investigation where there is only one party in close proximity to the alleged nuisance.
- 4. Animal owners found in violation of the public nuisance section of the county ordinance may be issued a citation for each violation. Citations result in a civil penalty along an escalating fine structure for subsequent violations.
- 5. If a public nuisance complaint is reported after regular work hours, the caller should contact the Leon County Sheriff Office. These complaints will be handled by the LCSO in accordance to their policy and procedures.

Section XII. Sick and Injured Animals:

1. Sick and injured stray animals shall be taken to licensed veterinary clinic for treatment. Treatment should be limited to pain killers, medications to prevent infections, and first aid. The Division of Animal Control will not pay for major procedures, intensive care, routine worming, or routine vaccinations. Officers should remind clinics of this policy if such services are suggested by the veterinarian at the time of the officer's visit. If, in the professional opinion of the veterinarian, the sick or injured animal is unable to withstand the required five (5) consecutive business days holding period, commencing on the day of after the impoundment day and the fifth day being the final disposition, with out un-due suffering or exceeding the fees described in number 2, the veterinarian may elect to euthanize the animal. (Section 4-63)
2. ~~The Division of Animal Control will transport County animals from the animal shelter to a licensed veterinary clinic at the County's expense when the shelter personnel, after conferring with a supervisor, identify an animal as requiring emergency medical care.~~ In accordance with the Tallahassee-Leon County Animal Service Center Agreement, section 2.4, the City shall arrange medical treatment for all impounded animals as well as those animals picked up by County Animal Control Officers suffering from life-threatening illnesses or injuries. Division of Animal Control shall pay a maximum of \$35.00 for emergency medical treatment during regular hours, and a maximum of \$50.00 for after hour treatment.
3. The impounding officer will nNote non-emergency injuries or conditions (old wounds, ear mites, minor scratches, etc.) that do not require immediate veterinary care on both the Service Request and on the Impoundment Ticket.
4. Veterinary personnel shall be advised if any animal they are being asked to treat has a potential owner, is a biter, is intractable, or is possible rabid.
5. Sick wildlife which is not of a species commonly recognized to be a carrier of rabies will

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be taken to a veterinary clinic designated by St. Francis of Assisi Wildlife Rehabilitation at their expense, or euthanized. Species commonly recognized as rabies carriers, such as raccoons, foxes, bobcats, skunks, or bats, shall be taken to the animal shelter for euthanasia.

6. The officer on duty shall contact the emergency veterinary number to locate the veterinarian on call if an animal housed at the shelter requires veterinary assistance after normal working hours. If no one is available, any 24-hour emergency veterinary clinic can be used, or another veterinarian can be contacted if he or she is closer and available.
7. Sick wildlife which may be rabid should be transported to the Animal Shelter or emergency animal clinic and euthanized. If there is human or companion animal contact, a Bite Investigation Report shall be completed by Animal Control staff, and the animal head shall be sent to a State Laboratory for rabies testing. If there is no contact, the animal's body shall be placed in the freezer at the Animal Shelter for disposal by the shelter staff.
8. During normal working hours, the Administrative Assistant will contact the veterinary clinic closest to the officer's location needing assistance for an injured or ill animal. The Administrative Assistant will advise the clinic of the problem and advise the officer whether or not the clinic will see the animal. If the veterinarian clinic is unable to see the animal, the Administrative Assistant shall continue calling for an available clinic in the vicinity.
9. When an ill or injured animal is taken to a clinic, the officer transporting the animal shall complete a Sick and Injured Animal Report. The Report shall include the veterinarian's diagnosis, prognosis, and recommended treatment. The veterinarian shall sign the Sick and Injured Animal Report, keeping the yellow a copy and giving the white original copy to the officer. The officer shall assign a Sick and Injured Animal Report number in the upper right hand corner of the Report.
10. If an ill or injured animal is released from the clinic, and is subsequently taken to the shelter, a copy of the Sick and Injured Animal Report shall be attached to the impound ticket.
11. If the animal, after receiving medical treatment is reclaimed by the owner at the Animal Service Center, the County's cost of veterinary service shall be borne by the animal's owner, payable at the time of redemption. ~~Please note~~ The impounding officer shall enter the owner's cost for veterinary care on the Impoundment Ticket and in the computer in the form of a memo.
12. If the ill or injured animal is claimed from the clinic or hospital of the attending veterinarian, any fee for treatment is to be settled between the veterinarian and animal owner.

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- ~~42.13.~~ Veterinary fees for unclaimed injured or sick animals ~~shall be paid by the Division of Animal Control when the animal is that~~ are received from the unincorporated area ~~shall be paid by the City in accordance to section 4.3 of the Tallahassee-Leon County Animal Service Center Agreement. All Sick-Injury forms shall be forward to the City for payment.~~
- 13.14. Quarantined animals which die during quarantine or become sick and are euthanized, must be decapitated for testing by the State Laboratory. Before any quarantined animal is euthanized prior to its release from quarantine, the Director of Animal Control, or in the Director's absence the Leon County Public Health Unit Administrator, will be notified of the animal's health and behavior. Owners of such animals shall be advised by phone or in person by the Division of Animal Control of the animal's illness and the need for euthanasia in the case of animals exhibiting signs of rabies.
- 14.15. Sick or injured animals relinquished to the division by their owners ~~shall~~ may be euthanized at the shelter. In the case of bite animals, it shall be the discretion of the Director, or his designee, if the animal's head shall be submitted for rabies testing at the State Laboratory or held the quarantine period.
16. Leon County Animal Control or City Animal Service Center will provide funds for payment to a veterinarian. When an owner is located, the owner is responsible for reimbursing the amount covered by the ASC or DAC.

Section XIII. Trapping of Animals:

1. Traps are set to capture domestic animals that are difficult to catch. Traps shall be set as needed, depending upon availability, weather conditions, and staff resources.
2. Generally, traps will not be set in inclement weather, or when inclement or extremely cold weather is forecasted. Traps which must be set for bite, injured, or dangerous animals must be covered to protect the animal from inclement weather.
3. Temperatures below the mid-thirties are considered too cold to set traps, except for emergency cases. Emergency cases include, but are not limited to, sick , injured, dangerous, or bite animals.
4. Traps must be checked at least once daily by staff.
5. Animals will not be left in traps if they are injured, barking or howling excessively, sick, or in danger.
6. Animals found in traps during normal working hours ~~shall be,~~ and taken into possession by an ACO, the animal shall be impounded as soon as possible, weather dictating the time frame ~~immediately impounded.~~ Animals found in traps after normal working hours will be

picked up the next morning as early as possible, unless they increase in accordance to the Priority Category under Service Dispatch in the Internal Procedures, ~~fall in categories listed under dispatches priority #2(b)~~, under Internal Procedures, in which case they will be impounded as soon as practical, to give consideration to the well-being of the animal.

7. The ~~on-duty~~ responding officer shall remove all trash and place fresh food in the trap during periodic checks.
8. All traps shall be chained to an immovable object.
9. If possible, traps shall be placed in the shade for the safety and comfort of the animal. If shade is unavailable, place cover over a portion of the trap to protect the animal from direct sunlight and heat. Cover only the top and the side receiving sunlight, so that maximum airflow is possible for the animal.
10. Traps are not set on property unless the property owner or tenant signs a Trap Agreement. Unless the property owner objects, the division may set traps on public or private property to catch nuisance, feral, bite, or dangerous animals. The owner or tenant shall sign a trap agreement prior to the officer setting a trap.
11. Traps shall remain set for approximately five (5) days or until the target animal is caught, whichever occurs first.
12. Trap Status Cards are to be used to explain to the citizen the reason a trap is closed or removed.
13. If a wildlife animal is trapped, that animal is to be release in the area. If the wildlife animal is injured or sick, it shall be taken to the appropriate facility.

Section XIV. Wildlife:

1. All nuisance wildlife (including, but not limited to, possums, armadillos, squirrels) shall be referred to the non-game section of the Florida Fish and Wildlife Commission (FWC) for a resolution. ~~Their wardens or biologists~~ FWC will determine whether the animal(s) should be trapped, relocated or euthanized.
2. All sick wildlife of a species commonly recognized to be rabies-carriers (raccoons, foxes, bobcats, bats and skunks) will be handled by the Division of Animal Control in the unincorporated area of the County. All known exposures to humans or pets will be handled in accordance with routine rabies control procedures. Sick wildlife within the city limits which did not expose a human or pet to potential rabies transmission will be handled by the Animal Shelter, which is responsible for the City's animal control program.

3. All injured wildlife and all sick wildlife, ~~not including the~~ excluding "rabies carriers," will be referred to St. Francis Wildlife Association.
4. The division shall comply with Florida Administrative Code, Chapter 64D-3, Rabies Control, when investigating and evaluating potential rabies exposure by wildlife. Unusual circumstances or problems will be brought to the attention of the Director of Animal Control, or to the Public Health Unit Administrator in the Director's absence.
5. As of June 1, 1988, Service Requests involving raccoons, bats, foxes, skunks, or bobcats harbored as personal pets in Leon County are investigated as a violation of Chapter 4, Section 4-78, Potential Rabies Carriers. Staff will attempt to determine the source and acquisition date of such animal. Such species obtained prior to June 1, 1988 maybe kept as personal pets. Owners of such species must be properly permitted through federal and/or state agencies. FWC should be notified of any wildlife violations observed by staff. Violations of Chapter 4 will be investigated by Division of Animal Control staff. Staff will issue a citation to any person harboring an animal in violation of Chapter 4, Section 4-78.